

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
TZVI WEISS, *et al.*, :  
Plaintiffs, : CV 05-4622 (CPS) (KAM)  
- against - :  
**DECLARATION OF**  
**JONATHAN I. BLACKMAN**  
NATIONAL WESTMINSTER BANK PLC, :  
Defendant. :  
----- X

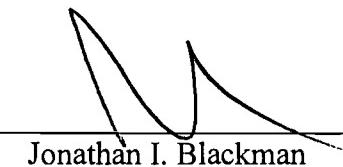
Jonathan I. Blackman declares as follows:

1. I am a Member of the Bars of the State of New York and of this Court and of the law firm of Cleary Gottlieb Steen & Hamilton LLP, attorneys for defendant National Westminster Bank Plc (“NatWest”). I make this declaration in further support of NatWest’s motion to compel production of documents and answers to interrogatories.

2. Attached as Exhibit A is a true and correct copy of Plaintiffs’ Fed. R. Civ. P. 26(a)(1) Mandatory Initial Disclosures dated June 16, 2006.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
December 19, 2006



Jonathan I. Blackman

## EXHIBIT A

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x  
TZVI WEISS, et al., :  
: :  
Plaintiffs, : :  
: : 05 CV 4622 (CPS) (KAM)  
-against- : :  
: : Honorable Charles P. Sifton  
: :  
NATIONAL WESTMINSTER BANK, PLC, : :  
: : Magistrate Judge Kiyo A. Matsumoto  
: :  
Defendant. : :  
: :  
-----x

**PLAINTIFFS' FED.R.CIV.P. 26(a)(1) MANDATORY INITIAL DISCLOSURES**

Plaintiffs, in the above-captioned case, by their undersigned counsel, submit the following disclosures pursuant to Fed. R. Civ. P. 26(a)(1). Plaintiffs reserve the right to supplement or modify the information set forth below, as needed and required by Rule 26(a)(1). Plaintiffs specifically reserve the right to make any use of, or introduce at any hearing or trial, information or documents responsive to Rule 26(a)(1) or the parties' requests but discovered and produced subsequent to the date of these responses. Plaintiffs' agreement to produce documents should be construed as indicating that plaintiffs will produce documents of the type requested if they are in plaintiffs' possession, custody or control, are not privileged or otherwise exempt from production, and can be located and produced through reasonable and good faith efforts. The responses set forth below are made without in any way waiving or intending to waive: (a) any objections to the competency, relevance, materiality, privilege, or admissibility into evidence, for any purpose, of any documents or information produced or identified herein; (b) the right to object on any ground to the use of any documents or information produced herein or the subject matter thereof at any trial, hearing, or other proceeding; (c) the right to object on any ground at any time to a demand for further responses to these disclosures or requests of any party;

and (d) the right at any time to revise, supplement, correct, or add to these responses. Plaintiffs have not yet completed their investigation of the facts of these cases. Unless otherwise set forth herein, defined or abbreviated terms have the same meaning and scope as set forth in the operative complaints.

**Rule 26(a)(1)(A)**

**The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.**

Plaintiffs contend, based upon information and belief and the investigation of their counsel, that at least the following individuals and entities presently known to them, have knowledge of discoverable information relevant to disputed facts alleged in the operative Complaints:

- a. Senior executive officers of National Westminster Bank, PLC (“NatWest,” the “Bank” or “defendant”), including without limitation: Senior Compliance Officers, Money Laundering Reporting Officers, Manager of Finsbury Park Branch and other Branch Managers. These individuals are likely to have discoverable information concerning, *inter alia*: (a) actual or potential violations of the Anti Terrorism Act, 18 U.S.C, § 2331 et seq.; (b) actual or potential violations and compliance with applicable rules and regulations for NatWest, including those requirements established or supervised by HM Treasury, the Bank of England, the Financial Services Authority, Financial Action Task Force (“FATF”), Basel Committee on Banking Supervision, UN Resolution 1373, Terrorist Financing Convention, and the Transnational Organized Crime Convention; (d) compliance with international laws, rules and regulations concerning anti-terrorism, anti-fraud and anti-money laundering rules, including

without limitation Israel, United States, Jordan, Lebanon and the United Kingdom; (e) provision and administration of services, including banking services for foreign terrorist organizations and their charitable fronts, including without limitation HAMAS, Tobas Zakat Committee, Khan Yunis Zakat Committee, Nablus Zakat Committee, Society of Islamic Science and Culture Committee, Islamic Charitable Society – Hebron, Al-Salah Islamic Association – Gaza, Islamic Charitable Society in the Gaza Strip, Tulkarem Zakat Committee, Jenin Charitable Society, Ramallah (and Al-bireh) Charitable Society, Bethlehem Society for Orphans a/k/a Orphan Care Society of Bethlehem, Al-Islah Charitable Society in Ramallah-Al-Bireh, Al-Ram Zakat Committee – Jerusalem, Al-Mujama al-Islami, Muslim Youth Association of Hebron, Al-Dheisha Refugee Camp Zakat Committee – Bethlehem, Mercy Association for Children – Gaza, Orphans and Needy Welfare Society – Gaza, Kalkilya Society for the Disabled, Social Charitable Society – Rafa, Al-Sanabil – Saida, Lebanon, Jarach Camp, Al-Bir Wal-Ihssan Camp, Azmi Al-Mufti Camp, Ma'dab Camp, Soof Camp, Al-Wahadat Camp, Al-Rasifia Camp, Jabal Al-Nadheef, Al-Hussain Camp, Al-Zarkaa Camp, Hitteen Camp, Al-Bak'aa Camp, Islamic Relief Committee – Um-Alfahm, Sowailah Camp, Al Hai'a Al-Islamiah Liri'aya – Lebanon, The Mercy Association for Children, Al-Bir Committee – Al-Koora – Jordan, Al-Bir Committee Alshoona Shamalia – Jordan, Al Ramtha Islamic Center – Jordan, Haiat Al Aamal Al Khairia – Jordan, Palestine Support Committee – Jordan; (f) consultation with, assistance and provision of services, including banking services, to Interpal, (g) identification of accounts affiliated

with the aforementioned terrorist organizations; (h) identification of foreign terrorist organization fronts; (i) compliance programs and procedures, including anti-fraud, anti-terrorism and anti-money laundering programs; (j) record and document retention policies; (k) identification of the Bank's assets in the United States and abroad; (l) promotional activities by the Bank's customers concerning the Second Intifada and (m) issues regarding, causation, reliance, scienter and damages.

- b. Yet to be identified former and current Bank employees. These individuals are likely to have relevant discoverable information concerning the matters set forth above.
- c. Ibrahim Hewitt, Shahan Izzat Husain, Essam Yussuf Mustafa a/k/a Essam Salih Mustafa Yussuf, a/k/a Abu Yussuf, Ismail Yussuf Ginwalla, Gassan Faour, M. Rafik Vindhani and Mahfuzh Safiee and yet to be identified former and current employees and representatives of Interpal and the Union of Good are likely to have relevant discoverable information concerning the matters set forth above.
- d. Foreign terrorist organizations and yet to be identified foreign terrorist organizations and their charitable fronts including, but not limited to HAMAS and its charitable fronts which are likely to have relevant discoverable information concerning the matters set forth above.
- e. Charitable fronts and yet to be identified charitable fronts, including, but not limited to, charitable fronts set forth below who are likely to have relevant

discoverable information concerning the matters set forth above:

1. Jenin Charitable Society
2. Tulkarem Zakat Committee
3. Ramallah (and Al-bireh) Charitable Society
4. Bethlehem Society for Orphans a/k/a Orphan Care Society of Bethlehem
5. Al-Islah Charitable Society in Ramallah-Al-Bireh
6. Al-Mujama al-Islami
7. Islamic Charitable Society in the Gaza Strip
8. Muslim Youth Association of Hebron
9. Tobas Zakat Committee
10. Khan Yunis Zakat Committee
11. Nablus Zakat Committee
12. Society of Islamic Science and Culture Committee
13. Islamic Charitable Society – Hebron
14. Al-Salah Islamic Association – Gaza
15. Al-Ram Zakat Committee – Jerusalem
16. Al-Dheisha Refugee Camp Zakat Committee – Bethlehem
17. Mercy Association for Children – Gaza
18. Orphans and Needy Welfare Society – Gaza
19. Kalkilya Society for the Disabled
20. Social Charitable Society – Rafa
21. Al-Sanabil – Saida, Lebanon
22. Jarach Camp

- 23. Al-Bir Wal-Ihssan Camp
  - 24. Azmi Al-Mufti Camp
  - 25. Ma'dab Camp
  - 26. Soof Camp
  - 27. Al-Wahadat Camp
  - 28. Al-Rasifia Camp
  - 29. Jabal Al-Nadheef
  - 30. Al-Hussain Camp
  - 31. Al-Zarkaa Camp
  - 32. Hitteen Camp
  - 33. Al-Bak'aa Camp
  - 34. Islamic Relief Committee – Um-Alfahm
  - 35. Sowailah Camp
  - 36. Al Hai'a Al-Islamiah Liri'aya – Lebanon
  - 37. The Mercy Association for Children
  - 38. Al-Bir Committee – Al-Koora –Jordan
  - 39. Al-Bir Committee Alshoona Shamalia – Jordan
  - 40. Al Ramtha Islamic Center – Jordan
  - 41. Haiat Al Aamal Al Khairia – Jordan
  - 42. Palestine Support Committee – Jordan
- f. Tzvi Weiss, Leib Weiss, Malka Weiss, Yitzchk Weiss, Yeruchaim Weiss, Esther Deutsch, Matanya Nathansen, Chana Nathansen, Matanya and Chana Nathansen for the Estate of Tehilla Nathansen, Yehudit Nathansen, Shoshana Nathansen, Hezekiel Toporowitch, Pearl B. Toporowitch, Yehuda Toporowitch, David Toporowitch, Shaina Chava Nadel, Blumy Rom, Rivka Toporowitch, Eugene

Goldstein, Lorraine Goldstein, Barbara Goldstein Ingardia, Richard Goldstein, Michael Goldstein, Chana Freedman, Harry Leonard Beer as Executor of the Estate of Alan Beer, Harry Leonard Beer, Anna Beer, Phyllis Maisel, Estelle Carroll, Sarri Anne Singer, Judith Singer, Eric M. Singer, Steven Averbach, Julie Averbach, Tamir Averbach, Devir Averbach, Sean Averbach, Adam Averbach, David Averbach, Maida Averbach, Michael Averbach, Eileen Sapadin, Daniel Rozenstein, Julia Rozenstein Schon, Jacob Steinmetz, Deborah Steinmetz, Amichai Steinmetz, Nava Steinmetz, Orit Steinmetz, Natanel Steinmetz, Robert L. Coulter, Sr. for the Estate of Janis Ruth Coulter, Dianne Coulter Miller, Robert L. Coulter, Sr., Robert L. Coulter, Jr., Larry Carter for the Estate of Diane Leslie Carter, Larry Carter, Shaun Coffel, Richard Blutstein and Katherine Baker for the Estate of Benjamin Blutstein, Richard Blutstein, Katherine Baker, Rebekah Blutstein, Nevenka Gritz for the Estate of David Gritz, Nevenka Gritz, Gloria Kushner, Jacqueline Chambers as the Administrator for the Estate of Esther Bablar, Jacqueline Chambers, Levana Cohen Harooch, and Greta Geler as the Administrator for the Estate of Hannah Rogen are individuals and entities that are likely to have relevant discoverable information concerning damages and causation.

Fed. R. Civ. Pro. 26(a)(1)(B)

**A copy of, or a description by category and location of, all documents, data compilations, and tangible things, that are in the possession, custody or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.**

Plaintiffs have in their possession, custody or control: (a) documents, including passports and birth certificates, indicating country of citizenship; (b) medical records; (c) death certificates; (d) estate documents, including letters of administration and letters testamentary; (e) marriage licenses; (f) personal financial information, including tax documents, and bank account statements; (g) documents indicating education and employment history, including without limitation transcripts, diplomas, correspondence; (h) news articles and media reports; (i) tributes, obituaries, published and video memorials and condolence cards; (j) photographs of the victims, their families, or the subject incidents.

Plaintiffs' counsel, as a result of their investigation, possess certain categories of information including bank records, wire transfer instructions, website materials, business records, court records, and police reports.

Fed. R. Civ. Pro. 26(a)(1)(C)

A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

Plaintiffs have not completed their discovery and investigation in this action, and thus cannot fairly or practicably provide a damages computation at the present time. Plaintiffs expect to retain such experts as are necessary to prepare their computation of damages and will make such computation and other material utilized by such experts available when completed to the extent required by the Federal Rules of Civil Procedure. Materials, such as medical reports regarding specific injuries suffered by certain Plaintiffs will be made available as discussed above.

Fed. R. Civ. Pro. 26(a)(1)(D)

For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

NONE

Dated: June 16, 2006

By   
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Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

I, Andrew D. Friedman, hereby certify that I am over the age of 18 years, am employed by the law firm of GLANCY BINKOW & GOLDBERG LLP and that on June 16, 2006 I caused the attached PLAINTIFFS' FED. R. CIV. P. 26(a)(1) MANDATORY INITIAL DISCLOSURES to be served in accordance with the Federal Rules of Civil Procedure, and/or the Court's Local Rules, and/or the Rules on Electronic Service, upon the following counsel by indicated means:

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Andrew D. Friedman

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

---

TZVI WEISS, *et al.*,

Plaintiffs,  
-against-

CV-05-4622 (CPS) (KAM)

National Westminster Bank PLC,

Defendant.

---

**DECLARATION OF JONATHAN I. BLACKMAN**

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ATTORNEYS FOR DEFENDANT NATIONAL WESTMINSTER BANK PLC

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